PROJECT INFORMATION

Project Title	Butte Creek Meadow Restoration Project
Brief Description	This proposal seeks funds to implement a meadow restoration project for 105 acres along Butte Creek, Lassen County California. Recent large-scale collaborative efforts within and outside of the region have promoted watershed improvement activities with the specific intent to restore meadow systems across multiple ownership boundaries. Within the Pit River region, several watershed plans have been developed including the upper Pit River Watershed Management Strategy (Pit River Watershed 2010), Burney, Fall River, Hat Creek Watershed Assessment and Management Plans (Fall River Resource Conservation District 2010), and Upper Pit River Integrated Regional Water Management Plan (in-progress). In addition, the Environmental Defense Fund (EDG), Tuolumne County Resource Conservation District, and CABY (Cosumnes, American, Bear, and Yuba Watershed Group) held a public meeting to discuss mountain meadow restoration. The landowner, who owns and manages the proposed project site, attended this meeting and expressed interest in advancing restoration efforts of Butte Creek meadow. The Butte Creek Meadow Restoration Project was conceived in early 2010 by the landowner who recently entered a lease-purchase agreement for a ranch along Butte Creek within the upper Pit River Region. He contacted the Pit RCD to discuss restoration opportunities along a degraded meadow system within the ranch. After several discussions, the RCD and landowner conceptually agreed to this project. Initial assessment and surveys started in March 2010. The meadow system is typical of many within the region. A portion of the stream channel within the meadow has become entrenched. Past management practices initiated a “high line” ditch system and diversion structures, and these resulted in the creation of a gullied channel. Currently, the lower portion of the meadow is entrenched, and headcuts are moving upstream and encroaching on areas (70 acres) that are providing the most productive forage and habitat. Historic photographs (i.e. 1940) show the Butte Creek meadow as being farmed for grain production. The landowner at that time dug a “highline” ditch system to draw water from the creek and transport it along the meadow edge at a higher elevation. This was done for two reasons. First, it allowed the land to dry out faster, making it more workable earlier in the season to plant crops. Secondly, it allowed for the landowner to use late season water to flood areas at higher elevations for irrigation purposes. However, through time, the ditch enlarged and captured portions of the creek. The enlarged ditch, now serving as the creek, did not allow frequent flooding. Rather, it transported the high flows rapidly out of the meadow and created dry meadow conditions. In addition, the lower base elevation of the creek effectively drained the shallow groundwater level earlier than would normally occur. The restoration plan proposed intends to restore the physical processes that historically maintained the Butte Creek meadow and install fencing

	so that grazing can be managed in a sustainable way. This includes reconnecting the primary stream channel to its naturally evolved floodplain. The landowner is also committed to changing livestock management grazing within the meadow so that cattle do not affect the stability of the streambanks. A perimeter fence has already been installed and the landowner expects to use cross fencing in order flash graze portions of the meadow during the late season. The purpose of the project is to reconnect stream channels to the floodplain and restore the meadow to meet the following objectives: 1) improve meadow productivity; 2) improve shallow groundwater storage; 3) improve flow conditions (decrease flood peaks and increase summer base flow); 4) reduce streambank erosion. Historic conditions consisted of meadow vegetation dominated by mesic species. Currently, annual grasses, mostly introduced species, dominate the cover at the site. Desired outcomes from the project include: 1) reducing the cross-sectional area of Butte Creek so that flows overtop at a 1.5 to two-year frequency interval; 2) improving shallow groundwater storage by 40%; 3) creating a vegetation community within the meadow that is dominated by species (66% cover) adapted to moist soil conditions (i.e. facultative wetland and/or obligate wetland indicator categories); and 4) creating several pastures within the restored meadow area for livestock grazing. The Watershed Coordinator for the Pit Resource Conservation District will assess progress for Outcomes 1-4 through regular project monitoring and scheduling. The progress of activities conducted to complete Outcomes 1-4 will be provided to the Pit RCD in monthly reports and SNC quarterly reports.
Total Requested Amount	294,817.00
Other Fund Proposed	10,000.00
Total Project Cost	304,817.00
Project Category	Site Improvement/Restoration
Project Area/Size	105
Project Area Type	Acres
Have you submitted to SNC this fiscal year?	No
Is this application related to other SNC funding?	No

Project Results
Restoration
Infrastructure development/improvement

Project Purpose	Project Purpose Percent
Natural Resource	
Water Quality	
Working Landscapes	

County
Lassen

Sub Region
North

PROJECT CONTACT INFORMATION

Name	Mr. Todd Sloat,
Title	Day to Day
Organization	Pit Resource Conservation District
Primary Address	PO Box 301, , , Bieber, CA, 96009
Primary Phone/Fax	530-336-5456 **Ext.**
Primary Email	tsloat@citlink.net

PROJECT LOCATION INFORMATION

Project Location	
Address:	none, , , Adin, CA, 96006
Water Agency:	n/a
Latitude:	41.1402694
Longitude:	-120.91711
Congressional District:	n/a
Senate:	n/a
Assembly:	n/a
Within City Limits:	No
City Name:	

ADDITIONAL INFORMATION

Grant Application Type

Grant Application Type: **Category One Site Improvement**
Grant Application Type: **Category One Site Improvement**

PROJECT OTHER CONTACTS INFORMATION

Other Grant Project Contacts

Name:	Todd Sloat,
Project Role:	Day-to-Day Responsibility
Phone:	5303365456
Phone Ext:	
E-mail:	tsloat@citlink.net

UPLOADS

The following pages contain the following uploads provided by the applicant:

Upload Name
Completed Application Checklist
Table of Contents
Full Application Form
Authorization to Apply or Resolution
Authorization to Apply or Resolution
Narrative Descriptions
CEQA Documentation
Detailed Budget Form
Restrictions/Agreements
Regulatory Requirements or Permits
Letters of Support
Long Term Management Plan
Project Location Map
Project Location Map

Parcel Map Showing County Assessors Parcel Number
Topographic Map
Photos of the Project Site
Land Tenure- Only for Site Improvement Projects
Site Plan - Only Site Improv. or Restoration Proj.
Site Plan - Only Site Improv. or Restoration Proj.
Letters of Support
Regulatory Requirements or Permits

To preserve the integrity of the uploaded document, headers, footers and page numbers have not been added by the system.

Preservation of Ranch and Ag Lands

UPLOAD UNAVAILABLE OR INVALID

M:\2012-13 workroom\App Intake

BUTTE CREEK MEADOW RESTORATION PROJECT

PIT RESOURCE CONSERVATION DISTRICT

SNC CAT 1 SITE IMPROVEMENT PROPOSAL

TABLE OF CONTENTS

Preservation of Ranch and Ag Lands

UPLOAD UNAVAILABLE OR INVALID

M:\2012-13 workroom\App Intake

Board of Directors Resolution No. 2012-2 September 10, 2012

In the matter of: A RESOLUTION APPROVING THE SUBMITTAL OF A GRANT APPLICATION FOR GRANT FUNDS FOR THE PROPOSITIN 84 GRANT PROGRAM UNDER THE SIERRA NEVADA CONSERVANCY.

The following RESOLUTION was duly passed by the Board of Directors of the Pit Resource Conservation District (Pit RCD) at a regular meeting held September10, 2012, by the following vote:

Ayes: 4

Noes: 0

Abstentions: 0

Absent: 0

Signed and approved by:

Chair, Board of Directors

ATTEST:
Clerk of Said Board

WHEREAS, the Legislature and Governor of the State of California have provided funds for the program shown above; and

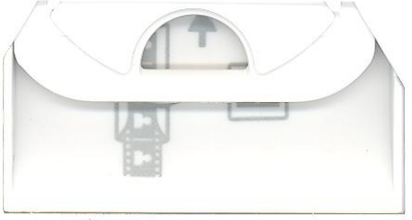
WHEREAS, the Sierra Nevada Conservancy (SNC) has been delegated the responsibility for the administration of a portion of these funds through a local assistance grants program, establishing necessary procedures; and

WHEREAS, said procedures established by the SNC require a resolution certifying the approval of application(s) by the Applicant's governing board before submission of said application(s) to the SNC; and

WHEREAS, the Applicant, if selected, will enter into an agreement with the SNC to carry out the project;

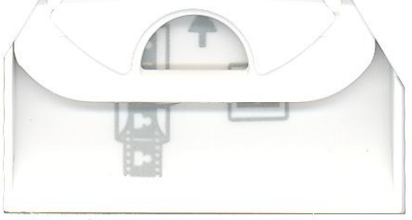
WHEREAS, the Pit RCD has identified the **Butte Creek Meadow Restoration Project** as valuable toward meeting its mission and goals.

BE IT HEREBY RESOLVED by the Board of Directors of the Pit RCD that this Board approves the submittal of application for the Butte Creek Meadow Restoration Project and certifies that



Applicant understands the assurances and certification requirements in the application and certifies that Applicant or title holder will have sufficient funds to operate and maintain the resource(s) consistent with the long-term benefits described in support of the application or will secure the resources to do so and certifies that Applicant will comply with all legal requirements as determined during the application process and appoints Todd Sloat or Sharmie Stevenson as agent to conduct all negotiations, execute and submit all documents, including but not limited to: applications, agreements, payment requests, and so on, which may be necessary for the completion of the aforementioned project(s).

PASSED AND ADOPTED by the Pit Resource Conservation District on the 10th day of September, 2012.



RESOLUTION NO. 12-049

RESOLUTION SUPPORTING PIT RESOURCE CONSERVATION DISTRICT'S APPLICATION FOR PROPOSITION 84 GRANT FUNDS FROM THE SIERRA NEVADA CONSERVANCY.

WHEREAS, the Legislature and Governor of the State of California have provided funds for the program shown above; and

WHEREAS, the Sierra Nevada Conservancy (SNC) has been delegated the responsibility for the administration of a portion of these funds through a local assistance grants program, establishing necessary procedures; and

WHEREAS, the Pit Resource Conservation District has adopted a resolution certifying the approval of application(s) by the Applicant's governing board to the SNC; and

WHEREAS, the Applicant, if selected, will enter into an agreement with the SNC to carry out the project;

WHEREAS, the Pit RCD has identified the **Butte Creek Meadow Restoration Project** as valuable toward meeting its mission and goals.

BE IT HEREBY RESOLVED by the Lassen County Board of Supervisors that it supports the application by the Pit Resource Conservation District for the Butte Creek Meadow Restoration Project.

The foregoing Resolution was duly adopted at a regular meeting of the Board of Supervisors of the County of Lassen, State of California held in Susanville on the 9th day of October, 2012, by the following vote:

AYES: Supervisors Dahle, Pyle, Chapman, Wosick, Hanson

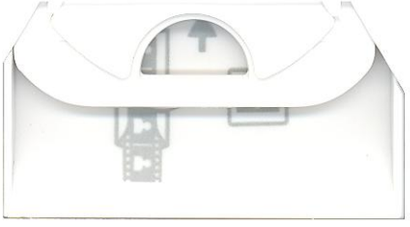
NOES: None

ABSTENTIONS: None

ABSENT: None

Brian Dahle

Chairman, Lassen County Board of Supervisors



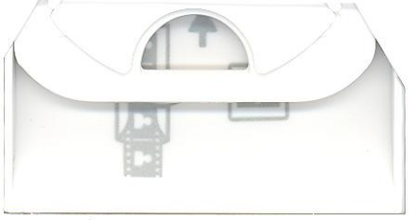
RESOLUTION NO. 12-049

ATTEST:
JULIE BUSTAMANTE
Clerk of the Board

BY: Susan Osgood
SUSAN OSGOOD, Deputy Clerk of the Board

I, SUSAN OSGOOD, Deputy Clerk of the Board of the Board of Supervisors, County of Lassen, do hereby certify that the foregoing resolution was adopted by the said Board of Supervisors at a regular meeting thereof held on the 9th day of October, 2012.

Susan Osgood
Deputy Clerk of the County of Lassen Board of Supervisors



5a. Detailed Project Description Narrative

Project Summary: The Butte Creek Meadow Restoration Project will restore wetland resources, improve water quality, and improve the productivity of agriculture products on a working ranch. The project consists of stopping active headcuts within the meadow, redirecting the creek into historic channels, and reconstructing or filling entrenched channels. Restoration will include constructing six ponds and using soil from the pond creation and from higher elevation terraces to fill oversized channels.

Environmental Setting Narrative: The project area lies within a large fault-block valley (know as Big Valley) that was once a lake during the Pleistocene era. Several tributaries, including Butte Creek enter the valley from the east and provide important water resources for wildlife, fish, and agriculture. Butte Creek becomes a low gradient stream after draining surrounding mountains in the southeast portion of the valley and joins Ash Creek near the town of Adin. The low gradient portion of the stream has associated meadow habitat for a length of 4.5 miles before joining Ash Creek. For nearly this entire length, the creek channel is severely entrenched and is depositing excessive amounts of sediment into Ash Creek. The entrenchment also results in lower groundwater levels, associated conversion of meadow habitat to grassland habitat, and poor wetland habitat for fish and wildlife.

Within the 100 acre project area, roughly one-half of the stream and associated meadow is productive. However, headcuts within the primary and secondary channels are moving up into this productive area, and if left untreated, will eventually “drain” the meadow and look similar to the downstream reach. The downstream reach is typical of most severely entrenched streams in the region. Non-native grasses, mostly cheat grass and Madusae head dominate the landform and provide little habitat for wildlife and forage for livestock. The base elevation in the degraded reach is approximately 6-8 feet lower that historic levels, and its width is likely 7-10 times wider. As described in the channel evolution process explained by Schum et al. (1984), the creek continues to widen and has developed an inset floodplain. It is still very unstable in most areas, and during high flows, streambanks slough off and contribute high levels of sediment to the creek and receiving water bodies. Diverse herbaceous vegetation grows well in the stream along with occasional willow clumps.

The Higgins Ranch was recently acquired through a lease-own option. Prior to the purchase, the Higgins family already manages 720 acres where they produce registered beef, hay, and quarter horses. The husband, wife, and oldest son conduct the majority of the ranch work. Not enough income can be produced through ranching and farming so both husband and wife have other jobs. However, a goal of the Higgins family is to increase the productivity of the property with improvements such as this proposed project s they can solely ranch and farm for their income.

The project site currently is hayed and grazed. Haying only occurs in the more intact reach of Butte Creek, and grazing occurs in both the degraded and stable reaches. Some of the higher elevation portions of the meadow are tilled and planted with grain which is also hayed. The proposed project will essentially protect the productive half of

the meadow, and convert the non-productive lower half to something similar to the upper area. None of the meadow is irrigated, and the restoration plan has been designed to sustain the stream and meadow system in order to be hayed and grazed.

Biological and cultural resource surveys were conducted as part of the planning and design process. No threatened or endangered species occur on the site, or have a high potential to occur on the site. Several special-status species are known to occur in the region, and some of these species are known to occur or have a high potential to occur on the site. The project will be constructed at a time to avoid impacts on any known species (e.g. nesting raptors). In addition, known historical and archeological sites will be flagged and avoided during construction.

Construction methods include the operation of dirt moving machinery (e.g. excavator, loader, scrapper) to remove or add soil to create benches, reconstruct channels, fill enlarged channels, create ponds, and remove dirt from higher elevation areas. The restoration design will ensure the stream functions to provide habitat for fish, wildlife, and continue to deposit sediment onto the floodplain during flood events.

Consistency with Proposition 84 and SNC Goals: This project will directly improve water quality and aquatic and terrestrial natural resources, agriculture productivity, and create jobs for local contractors. These improvements are consistent with three program areas identified within Proposition 84, and consistent with its mandate to protect and restore rivers, lakes and streams, their watersheds and associated land, water, and other natural resources. Water quality improvements will consist of reduced sedimentation and lower water temperature. Riparian vegetation, both herbaceous and deciduous shrubs will expand in density and area. Also, aquatic habitat will improve as the width/depth ratio of water within the creek will be greater after restoration work. Vegetative productivity is expected to increase from .5 tons/acre to 2 tons/acre. The overall linear distance of stream channel improved is 4.3 miles and the acreage estimated for this distance is 105. In addition to meeting Proposition 84 goals, the project will address six of the seven SNC goals as described below.

1. *Provide increased opportunities for tourism and recreation:* The project will not provide increased opportunities for tourism, but will improve habitat conditions for recreation. Through improved habitat conditions, incremental improvement in fish and wildlife related pursuits (e.g., hunting, bird watching, wildlife viewing) can be expected in the project area. In addition, the landowner is committed to showing this project to anyone interested in learning about the value of meadow restoration for agricultural productivity.

2. *Protect, conserve, and restore the region's physical, cultural, archeological, historical, and living resources*: The project will protect, conserve and restore physical and living resources in the form of naturally functioning streams, associated riparian habitat, and agriculture land. Many tributary streams within the upper Pit River Watershed, especially those owned and managed in the large valleys, are degraded from a variety of past management practices. This project will demonstrate that meadow restoration is

a valuable tool to improve natural resource conditions and agriculture productivity. Multiple resource benefits will occur that other private landowners may observe and follow. Sensitive native fish species will also indirectly benefit from restoration due to an expected increase in summer base flows and the retention of channel pools during the dry season. All cultural resources will be avoided and protected. Further protection will occur with the area's restoration, as gully elimination and stream stabilization reduce lateral erosion and its potential threats to nearby cultural/archeological sites.

3. *Aid in the preservation of working landscapes* – The project will directly protect, conserve and improve the agricultural activities on the Higgins Ranch while also minimizing the loss of valuable land through erosion. Improved habitat conditions will result that benefits livestock foraging, hay production, and eliminate the replacement costs for fences that currently occur from the erosion. It will also protect valuable land from further degradation by halting the active headcutting.

4. *Reduce the risk of natural disasters, such as wildfires*: The restoration of meadow and riparian vegetation will reduce fire hazard because these areas remain "green" during the dry season. This condition will provide a more natural and fire-resistant landscape.

5. *Protect and improve water and air quality:* The proposed project will directly improve water quality within Butte Creek. Improved water quality includes reduced sedimentation as a result of reconnecting the stream to the floodplain and eliminating oversized stream channels.

6. *Assist the regional economy through the operation of the SNC program:* The project will improve long-term economic outputs to the local economy through reducing infrastructure costs, purchasing of materials (e.g. fence material) and supplies (e.g. fuel), hiring of local contractors, and improving agricultural productivity. Many project services and materials are commonly available from local vendors who will in turn support the regional economy with payroll and taxes. The contractors responsible for designing and permitting this project also are local, and a pool of skilled heavy equipment operators with this type of project experience is available. This availability of local personnel for all aspects of project implementation ensures that project payroll funds will largely stay in the region.

7. *Undertake efforts to enhance public use and enjoyment of lands owned by the public*. The proposed project has no measureable connection to this SNC program goal.

<u>Project Goals and Outcomes</u>:
The purpose of the project is to reconnect stream channels to the floodplain and restore the meadow to meet the following objectives: 1) improve meadow productivity; 2) improve shallow groundwater storage; 3) improve flow conditions (decrease flood peaks and increase summer base flow); 4) reduce streambank erosion. Historic conditions consisted of meadow vegetation dominated by mesic species. Currently, annual grasses, mostly introduced species, dominate the cover at the site.

Outcome 1- Support the long-term economic viability and ecological value of the Higgins Ranch: The implementation of stream restoration and expected benefits to natural resources and agriculture productivity is vital for the landowner to continue working the ranch. The habitat improvements will not only benefit natural resources on-site (aquatic and terrestrial species), but will also benefit downstream habitat with improvements in water quality and migratory habitat for fish and wildlife. Restoration will protect the current productive areas on-site while also converting non-productive areas to ones that create positive cash flow. The landowner will document how the restoration effort of the degraded meadow area financially benefits the operation of the ranch. This will be done through a combination of recording the value of any hay produced at the site and/or livestock animal-unit-months improved/created.

Outcome 2 – Restore the natural form and function of the stream and floodplain: Through channel restoration, the project will reconnect the creek with the historic floodplain and stop active headcuts that are advancing into productive meadow. The existing stream channels are degraded and have poor habitat diversity because of the severe entrenchment. The restored channel network will allow for a more diverse and stable instream habitat that will naturally adjust to changes in annual flood events and continue to provide a diversity of ecological services. Reconnecting the stream channel to its floodplain will directly affect the linear feet (estimated at 10,100) of streambank restored (Performance Measure 6), protect 12,250 feet of stable channels (Performance Measure 6), restore 55 acres of meadow, and protect/enhance 50 acres of additional meadow (Performance Measure 13). Restoring the connection of the stream to the historic floodplain will provide a mechanism for trapping sediment as discussed in Goal 3, and create in-stream habitat diversity for fish species and other aquatic species.

Reconnecting the stream channel to the floodplain will also attenuate flood flows and improve shallow ground water storage on-site. Shallow groundwater wells will be established in the degraded meadow area prior to restoration and water levels will be measured (Performance Measure 12). Flow will not be measured because of the complexities of how the system is managed by the various landowners who divert flow upstream and downstream of the project site.

Finally, reconnection of the stream to the floodplain is expected to convert the existing vegetation community (i.e. annual grassland) to a meadow that is dominated by species (>66% cover) adapted to moist soil conditions (i.e. facultative wetland and/or obligate wetland indicator categories). Once the meadow vegetation has become established, the landowner intends to create several pastures within the restored meadow area for a rotational livestock grazing system using electric fences.

Outcome 3 – Reduce soil erosion at the site: Transport of sediment and erosion is a natural process. However, when streams become entrenched, the rate of erosion and amount of bedload and suspended sediment is greatly increased. Restoring the channel sizes and stream profile will reduce erosion on-site and eliminate the loss of productive agriculture land.

Outcome *4 – Improve habitat values for the site:* Achieving Goals 2 and 3 will result in improved habitat value at the site. The restored stream channels will create more stable pools and riffles, thus increasing instream habitat diversity for fish. The streambanks will also be more stable and result in a denser and more vigorous riparian community along them and this provides important cover for local wildlife species (e.g. deer, resident and migratory birds). Finally, the improved habitat conditions along the riparian areas and floodplain will encourage the growth of native plants that may out compete some noxious weeds (e.g. Scotch thistle).

Outcome 5 – Document the Performance Measures (No. 1-4) identified in the SNC SOG 1 Grants Program: Seven Performance Measures identified within the SOG Grant Program will be documented throughout the life of the project. This will include estimating the number of people who read newspaper and newsletter articles (PM 1), recording the number of people who attend meetings where the project is discussed or presented (PM 1), recording the dollar value of resources leveraged (PM 2), the number and types of jobs created (PM 3), and the number of new, improved, or preserved economic activities (PM 4), linear feet of streambank restored/enhanced (PM 6), acre feet of water supply conserved or enhanced (PM 12), acres of land improved/restored (PM 13).

Success Criteria: Project success criteria have been established to ensure the project goals will be met. Criteria has been identified for hydrology and vegetation. *Hydrologic Success Criteria*: The project will be successful if Butte Creek does not become entrenched, active headcuts are arrested, flows access the floodplain at a 1.5 to two –year frequency interval, and no new headcuts develop in the project area. Spring and fall monitoring will consist of site inspections of terrestrial and aquatic conditions on-site. The inspection will include recording pre and post project photographs and associated notes. The stream channels will be walked an inspected to determine whether the channels are functioning correctly.

In addition to photo-monitoring, pre and post project construction cross section data and longitudinal profile will be recorded to show changes in streambed habitat diversity and width to depth ratios. Eight existing valley wide cross sections have been recorded and a longitudinal profile of the primary channel. In addition to these, six more cross sections will be recorded along riffles in the project area for the existing entrenched channel and the historic remnant channels where the water will be re-direction into.

Finally, four to six shallow ground water wells will be established and shallow groundwater depths and water temperatures will be recorded. Data collection with the data loggers will record continuous temperature and water levels using the latest technology of a Hastelloy pressure sensor.

Vegetative Success Criteria: Vegetation is expected to convert from annual grassland cover to a diversity of herbaceous species and along the streambank and the floodplain. The project will be successful if the-vegetation along the abandoned floodplain changes

from annual grassland to a species common in wet meadow areas (e.g. meadow barley, *Juncus* spp., *Alopecurus* spp. *Phleum* spp.) that occupy >66% cover in the meadow. The species composition and amount of cover of vegetation will be measured prior to project construction, and then again at year five along three permanent transects.

The extent (acreage) of riparian vegetation and ground cover will be measured prior to project construction, and then again at year five. The acreage estimate will be conducted by using GPS to delimit polygons around riparian-deciduous shrubs, and the line-intercept method will be used to document percent cover.

5b. Workplan and Schedule Narrative

Table 1 lists the tasks, schedule, and constraining factors for this proposed project. Task No. 1 includes the day-to-day responsibilities of invoicing, corresponding, bookkeeping, and coordinating and preparing for RCD and other meetings. The Pit RCD Business Manager, Sharmie Stevenson, will conduct these duties for the life of the grant. There are no constraining factors associated with this task (total $3,600).

Table 1. Tasks/Deliverables, timeline, and constraining factors

Tasks	Schedule	Constraining Factors
1. Administration	Life of grant	None
2. Post Design, Pre-Construction	March 2013 – July 2013	Receiving bids within the construction budget and timeline
3. Construction	July 2013 – October 2013	Wet weather, contractor quits
4. Reports, Monitoring, Outreach	July 2013 – March 2014	None

Task No. 2 includes activities the following activities: preparing a construction bid, attending a pre-bid meeting, coordinating with the Construction Manager (StreamWise), and collecting any pre-construction data or performing any other pre-construction tasks (meeting with landowners, agencies, etc). Only one constraining factor is associated with this task, and that includes receiving qualified bids that are within the construction budget and timeline. Several local qualified contractors (e.g. contractors that have filled gullies with scrapers and/or loaders) are present.

Task No. 3 is the construction phase of restoration. This includes excavating/harvesting sod and topsoil for revegetation, excavating and transporting fill material from higher elevations areas or within and adjacent to the gullies to fill entrenched stream channels, constructing a grade control structure, filling in a ditch, and replanting salvaged vegetation and replacing topsoil. Two constraining factors, wet weather, and the termination etc. of a contractor, exist for this task. A construction bond will be required for this project to ensure the project can be completed if, for any unforeseen reason, the contractor is unable to complete the job, quits, or is released from the RCD for lack of execution. In order to avoid weather issues, the timeline of construction will start

between mid-July and mid-August. This proposed timeline would allow plenty of time to complete the project before an "early" rainy season.

Task No. 4 includes post construction activities including collecting as-built information, preparing outreach material and holding meetings to highlight the project, and preparing reports for funding sources. No constraining factors are associated with this task.

The project will be implemented efficiently by preparing a timeline and working diligently to complete tasks associated with the timeline. The Pit RCD has successfully "managed" several grant projects, and the same staff and contractors involved are proposed for this project.

5c. Restrictions, Technical/Environmental Documents and Agreements

1. The landowner will be required to enter into a binding agreement with the Pit RCD before construction to ensure the project goals are met.
2. No conflicting easements, mineral rights, toxic contamination etc. exist that might affect the project area. The project area is not enrolled in the Williamson's Act.
3. The Pit RCD has prepared draft information to complete: 1) a Pre-Construction Notification for a under Nationwide Permit No. 27 through the Army Corps of Engineers which complies with Section 404 of the Clean Water Act; 2) 401 Water Quality Certification through the Regional Water Quality Control Board; and 3) a Streambed Alteration Agreement (SAA) though the California Department of Fish and Game. Cultural and biological resource surveys were conducted and included within the Initial Study Mitigated Negative Declaration that will be adopted by the Pit RCD on October 23 2012. The RCD has received a support letter from the landowner to ensure permission to conduct activities that are necessary to complete the project. The Pit RCD has successfully prepared CEQA compliance documents and permitted multiple stream restoration and enhancement projects.

5d. Organization Capacity Narrative

The RCD has staff and consultants under existing contracts to implement the post-design and construction management portions of this project. Sharmie Stevenson, the Pit RCD Business Manager, has been serving this role for 15 years. She has successfully managed and is currently managing numerous grants (see below Table 2) similar to this project. The Pit RCD Watershed Coordinator (WC), Todd Sloat, who also serves as WC for the Fall River RCD, has managed numerous natural resource projects in recent years. Some of these projects are highlighted at */pitriveralliance.net/pitrcd/* and are summarized in Table 2 below. The Board of Directors, which currently consists of four private landowners in the district, has a broad range of experiences and connections with the local community. The RCD has also developed close relationships with local agency representatives and non-profit organizations. Because of these relationships and the success of past projects, the landowners in this rural community look to the RCD for assistance with natural resource projects, and view the RCD in a positive manner. The design was prepared by StreamWise, a local consulting firm that was selected by the Pit RCD during a competitive bidding process. StreamWise was also the design consultant and construction manager for other recent projects in the

area. These projects have been highly successful at meeting stated project goals. See Table 2 in Attachments for a Summary of Recent Pit River Projects.

If funded, it is the intent of the RCD to contract with Todd Sloat Biological Consulting, Inc. (Sloat Consulting) to serve as watershed coordinator for the proposed project and StreamWise to serve as the Construction Supervisor. By doing so, the RCD hopes to maximize the number of people and resources benefited by the project. Mr. Sloat has been the watershed coordinator for the Pit RCD for approximately eight years. During this time he has been an effective partner in coordinating activities between landowners, stakeholders, and agency people. Coordination on this scale is vital to preserving the area's watershed, as more than 50% of the land on the area's waterways is owned privately, and in many cases, generationally.

TABLE 2. Summary of Recent Pit RCD Projects and Projects Coordinated by their Watershed Coordinator

Project	Project Type	Schedule	Primary Funds and Value	Reference
Ash Creek Wildlife Area Restoration Project	Meadow restoration and irrigation infrastructure integration	Construction initiated in 2012	SNC (1 million); WCB (1.3 million); DWR (1.1 million)	Steve Burton, DFG, 530-459-1129
Harlow Meadow Restoration Project	Meadow restoration	Completed fall 2011	USFWS Partners (25K); Rocky Mt. Elk Found. (19K)	Pete Johnson, W.M. Beaty and Assoc., 530-335-2881
McBride Springs Meadow Restoration Project	Meadow restoration	Completed fall 2011	Lassen RAC (18K); NRCS (50K)	Buck Parks, Pit RCD President, 530-640-0715

5e. Cooperation and Community Support

The project has direct participation and support from the private landowner at the project site. Another important cooperative effort was the development of the *Pit RCD Watershed Management Strategy*, which identifies the project's adjacent locations as restoration priorities. This document was developed in consultation with a wide range of private stakeholders, in addition to other agencies (i.e., CDFG, NRCS, RWQCB, DWR) and stakeholders (Ducks Unlimited, California Waterfowl Association). During the WMS development process, stakeholders attended meetings, reviewed and wrote text, and provided input on resource issues within the watershed. Some of these adjacent projects were implemented in previous years and can be viewed on the Pit RCD website (see www.pitriverallince.net/pitrcd). The Pit RCD has also discussed this project and garnered a letter of support from the Lassen County Board of Supervisors.

The project is compatible with other previous planning projects including the *Upper Pit River Watershed Management Strategy*. This strategy has goals or resource concerns

that identify “meadow and stream projects” as important resource topics for their local communities. More recently, the project has been discussed and promoted through the Project Development subcommittee as part of the Upper Pit River Integrated Regional Water Management Plan development.

5f. Long-Term Management and Sustainability

The project occurs on private land that is currently managed by the Higgins family. They have entered into an agreement with the Pit RCD. If the project is funded, it will allow them to farm and graze improved agriculture land. Currently, hay production is one of the more profitable agriculture products in the region, and increasing the income potential of the landowner will enable them to financially manage the property in the manner that protects and enhances natural resources (e.g. stream corridor and meadow). Currently, the stream channel and floodplain is in a degraded condition (see project photos). A Draft Management Plan has been prepared and is attached with this application. If the project is funded, the plan will be implemented and added as an addendum to the landowner agreement with the Pit RCD.

5g. Performance Measures Narrative

Performance Measures (PM) that will be documented as part of the project include PM 1-4, PM6, PM 12, and PM 13. The below Table lists the PMs and describes how they will be assessed and the responsible documenting entities.

Performance Measure (PM)	Responsible Entity and Description
PM 1. Number of people reached	The Pit RCD will publish at least one newspaper article and one newsletter article highlighting the project. The Watershed Coordinator will also present the project in at least two forums (e.g. neighboring RCD meeting, Cattlemen’s meeting, natural resource related conference)
PM 2. Dollar value of resources leveraged for the Sierra Nevada	The Pit RCD and Sierra Institute for Community and Environment (SI) will track dollars leveraged.
PM 3. Number and types of jobs created	The Pit RCD will document the number and type of full-time-equivalent jobs created from the SNC funding
PM 4. Number of new, improved, or preserved economic activities	The Pit RCD, SI, and landowner will document the number of new, improved, or preserved economic activities.
PM 6. Linear feet of streambank protected or restored	The Pit RCD will conduct a pre and post project calculation of the linear feet of streambank restored and protected.
PM 12. Acre feet of water supply conserved or enhanced	The Pit RCD will install shallow ground water wells and data loggers to continuously measure water levels and temperature.
PM 13. Acres of land improved or restored	The Pit RCD and landowner will document the acres of habitat and agriculture areas improved from project activities.

5h. Budget Narrative

Direct Costs: Direct costs in this budget pertain only to project work necessary to implement project construction. This includes coordination time, construction supervision, materials, and equipment rental. All work will be conducted under contract. Watershed coordination costs in this budget pertain only to expenses directly related to project implementation. This line item assumes approximately 160 hours of work plus $777 in expenses (i.e. mileage) over the life of the grant. The Watershed Coordinator will serve as grant manager, and will provide general oversight of all elements of the proposed project.

Construction Supervision: This line item will cover contract costs for a Construction Manager responsible for the restoration design plan during construction (StreamWise).

Equipment rental, fuel, rock, and data loggers: These line items cover the cost of renting two excavators and fuel to run them for 400 hours. Each excavator will cost approximately $7,500/month and will require 350 gallons of fuel at $5.00/gallon. Rock is needed to build the grade control structure at the bottom end of the project. Approximately 420 cubic yards is needed and rock value is estimated at $27.00/yard. Data loggers cost approximately $300/each and six will be purchased.

Construction: This line item will cover costs associated with a Contractor skilled in stream restoration and/or enhancement activities. An estimated 59,000 cubic yards of soil will be moved and the budgeted amount for this yardage is $3.20/yard.

Materials needed for construction include rocks for construction of the vanes ($8,600), and rock for filling in areas for wheel crossings ($8,600). Equipment costs are for the rental of two excavators.

Indirect Costs: Indirect costs include Pit RCD staff time to conduct monitoring, prepare outreach and education materials, and organize meetings. Other costs include purchase of ink, and printing associated with a newsletter. It also includes a portion (15 %) of the RCDs Workers Compensation costs.

Administrative Costs. Costs associated within this section are primarily for Pit RCD staff time for accounting associated with the proposed project and grant. These staff hours will be used for monthly billing, tracking and accounting of design contracts, etc. These hours will not be billed for any work that is not necessary for the completion of the proposed project (total $ 14,700). Other administrative costs include expenses associated with the operation of the RCD and include audit, telephone, and utilities. It is assumed that implementation of the proposed project will account for approximately 25% of the RCD's operating costs, such as utilities, telephone, internet, insurance, audits, etc. These costs are estimated at approximately $300.00 per month for the life of the grant (total $3,600).

Other Project Contributions: See detailed Budget Form.

SIERRA NEVADA CONSERVANCY
PROPOSITION 84 - DETAILED BUDGET FORM

Project Name: Butte Creek Meadow Restoration Project

Applicant: Pit Resource Conservation District

SECTION ONE **DIRECT COSTS**[1]	**Units**	**Unit Cost**	**Total Cost**	**Year One**	**Total**
Project Management/Coordination	160	$125.00	$20,000	$20,000.00	$20,000.00
Construction Supervision	170	$125.00	$21,250	$21,250.00	$21,250.00
Construction	59,000	$3.20	$188,800	$188,800.00	$188,800.00
Performance Measures and Reporting	80	$100.00	$8,000	$8,000.00	$8,000.00
Mileage for travel (@$.55/mile)	1400	0.555	$777	$777.00	$777.00
Fuel for equipment rental	700	$5.00	$3,500	$3,500.00	$3,500.00
Solanist data loggers	6	$300.00	$1,800	$1,800.00	$1,800.00
Equipment rental (2 excavators)	2	$7,500	$15,000	$15,000.00	$15,000.00
Rock for grade control structure	420	$27.00	$11,340	$11,340.00	$11,340.00
DIRECT COSTS SUBTOTAL:			**$270,467**	$270,467.00	$270,467.00

SECTION TWO **INDIRECT COSTS**				**Year One**	**Total**
Personnel Support (monitoring)	100	35	$3,500.00	$3,500.00	$3,500.00
Project materials & supplies purchased	6	100	$600.00	$600.00	$600.00
Publications, Printing, Public Relations	150	2.50	$375.00	$375.00	$375.00
Workers Compensation Insurance			$1,575.00	$1,575.00	$1,575.00
INDIRECT COSTS SUBTOTAL:			**$6,050.00**	$6,050.00	$6,050.00
PROJECT TOTAL:			**$276,517**	$276,517.00	$276,517.00

SECTION THREE **Administrative Costs (Costs may n*ot to exceed 15% of total Project Cost*) :**					**Total**
Rent, audit, telephone, utility	12	300	$3,600	$3,600.00	$3,600.00
Administrative Costs	420	35	$14,700	$14,700.00	$14,700.00
ADMINISTRATIVE TOTAL:			**$18,300**	$18,300.00	$18,300.00
SNC TOTAL GRANT REQUEST:			**$294,817**	$294,817.00	$294,817.00

SECTION FOUR **OTHER PROJECT CONTRIBUTIONS**[2]				**Year One**	**Total**
List other funding or in-kind contibutors to project (i.e. Sierra Business Council, Department of Water Resources, etc.)					
Landowner				$5,000.00	$5,000.00
Pit RCD				$5,000.00	$5,000.00
Total Other Contributions:				$10,000.00	$10,000.00

NOTE: The categories listed on this form are examples and may or may not be an expense related to the project. Rows may be added or deleted on the form as needed. Applicants should contact the SNC if questions arise.
* Operating Costs should be allocated to the pecentage that is applicable to the grant based on your cost allocation methodology and cannot exceed 15% of your total project costs.

[1] Direct Cost. Most of the work to be accomplished under the proposed project will be under contract.

[2] Other Project Contributions. Contributions from the landowner are shown in the detailed Budget. Landowner contributions consist of in-kind services associated with the project. In-kind services include meetings during project development and implementation. They also include maintenance of streambank vegetation as well as attending site visits for the public. All in-kind and volunteer service will be documented and reported and are estimated to include 100 hours @ $50.00/hr. The landowners has also already invested nearly $20,000 dollars to purchase and install fences. Funds from the Pit RCD will be used to pay for permit preparation and submission. This is estimated to amount to $5,000.00.

6c. Restrictions, Technical Documents, and Agreements.

No documents are known to encumber the property. No permits have been applied for, although information has been collected to prepare them.

PIT RESOURCE CONSERVATION DISTRICT
LANDOWNER AGREEMENT
Butte Creek Meadow Restoration Project

THIS AGREEMENT is made and entered into by and between the Pit Resource Conservation District, a special district of Lassen County, State of California, and Mark Higgins. This agreement is for a watershed restoration project on property that is located in the Pit RCD boundary described as follows:

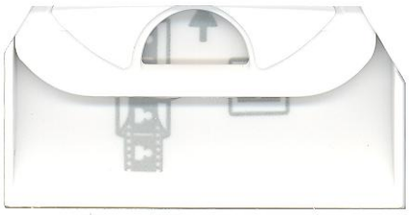
T38N, R9E, Section 10, 14, & 15
Parcel #s – 003-20-05 & 003-080-12

A. **Terms Defined:**
   1. The word **"District"** refers to the Pit Resource Conservation District.
   2. The word **"Landowner"** refers to the party that owns the land where project work is being performed.
   3. The acronym **"PRCD"** refers to the Pit Resource Conservation District.

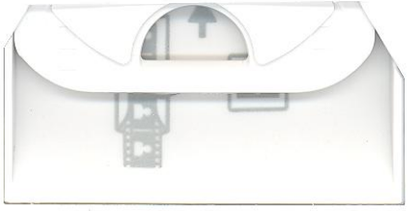
B. **Statement of Purpose:**
The District has received certain funding from grant sources with funds to be utilized in an effort to improve water quality within the District boundaries and the Pit River Watershed. In an effort to pursue these goals, performance measures will be taken to stabilize stream banks, restore proper meadow functions, and implement the recommended best management practices;

C. **Terms and Conditions of Project Restoration:**
Landowner shall be responsible for supervising, carrying out and completion of fencing and alternative water sources on the aforementioned property where livestock are involved when appropriate. Landowner, or agent, shall provide the material, equipment, workers, compensation and liability insurance necessary to install fencing and alternative water sources necessary for livestock during the project construction when appropriate. The work to be done will be set forth in detail in the project plans and specifications. The District shall provide the capital for the project and the maintenance requirement that will be subject to the landowner's approval.

1. The District will prepare specifications and maintenance goals for the project plan. The project plan will be referred to as Attachment 1.
2. The District or its agent shall be responsible for continued inspection of the project in progress and shall be responsible for acceptance of the project, with the Landowners concurrence, upon completion.
3. The Landowner shall provide reasonable access to the District, as necessary, for the performance and evaluation of the project, until projects are completely implemented. In addition, for a period of 10 years, the District will have access, with prior Landowner notification, for semi-annual project reviews.
4. The Landowner agrees not to materially alter or in any way diminish the effectiveness of all implemented projects for a period of 10 years.



5. The Landowner agrees that the intent of this project is only to control bank erosion and to restore the function of the meadow system and the projects implemented are based on currently accepted practices that may have some inherent risk of failure. The Landowner and District agree that reasonable modifications to the work plan may be made during the implementation of the project.
6. The District agrees that the Landowner's liability for any losses or injuries shall be limited to the cost of repairing the implemented project if the project is shown not to meet plans and specifications. The Landowner agrees to maintain the integrity of the implemented project for a period of 10 years.
7. The Landowner shall be responsible for any and all financial contributions or in-kind match that the Landowner and the District agreed upon prior to project commencement as outlined in the grant proposal(s).
8. The District shall be responsible for selection of project design, contractor and materials for implementation where necessary. The Landowner shall have input on all of the above matters unless the landowner enters into a contract agreement with another entity whereby the landowner willingly foregoes there right of input.
9. The Landowner agrees to complete the project even in the event of a sale of the property to another owner. The Landowner will disclose to the 3rd party the project and its stipulations. The 3rd party will be required to sign a new Landowner agreement with the District.
10. The Landowner will receive no compensation for the project from the District unless the District is a contributing financial partner to the project, or unless the Landowner pays for expenses that are mutually agreed upon as reimbursable for the project.
11. Landowner will assist the District and its agents in obtaining necessary permits for project work.
12. The District will not be responsible for losses or damage to personal property, equipment, or material of Landowner except in cases of gross negligence and shall only be responsible for replacement or repair.
13. The terms of this agreement herein contained shall apply to and shall bind and inure to the benefit of the heirs, representative, assigns and successors in interest of the parties hereto.
14. The Landowner and any and all agents and employees of the Landowner shall not act in an independent capacity and not as officers or employees of the District.
15. The Landowner agrees that in no event shall the District be required to perform any maintenance on or make repairs or alterations to the property except as defined in the design plan.
16. This agreement shall remain in full force and effect upon its execution until terminated. The District may terminate this agreement at any time for non-compliance with this agreement.
17. Either party may terminate this agreement without cause by providing written notification 30 days prior to termination and before construction begins.



This agreement shall be binding upon the parties hereto, and upon their successors, legal representatives and assigns. Any modification of the Agreement shall be in writing and by mutual consent of the parties.

This agreement shall become effective when executed by all parties.

Pit Resource Conservation District, P.O. Box 301, Bieber, CA 96009

By: Tim Balcom — Director, Pit RCD — Date: 10/10/2012

John Russ — Director, Pit RCD — Date: 10/18-2012

Buck Park — Director, Pit RCD — Date: 10/18/2012

_____ — Director, Pit RCD — Date _____

_____ — Director, Pit RCD — Date _____

By: _____ — Landowner — Date: 10/1/12

Scott Higgins — 10-1-12

Witness: Sharni Stevenson — Pit RCD Employee

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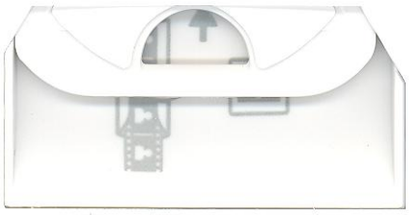

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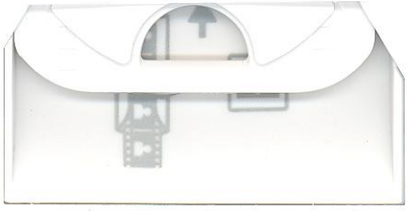

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Pit Resource Conservation District, P.O. Box 301, Bieber, CA 96009

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By: _____ — Landowner — Date: 10/1/12

Scott Higgins — 10-1-12

Witness: Sharni Stevenson — Pit RCD Employee

6a. California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) form and supplemental information

An Initial Study Mitigated Negative Declaration (ISMND) was submitted to the State Clearinghouse in early September. It was expected to be adopted at the Pit RCD meeting that was scheduled for October 8th, but a Board quorum was not present so the meeting was rescheduled to October 23rd. If the Board adopts the ISMND, the RCD will prepare a Notice of Determination within seven days of the Board meeting and send the NOD to SNC and the State Clearinghouse. The Notice of Completion and ISMND is attached herein, as is the response letter from the State Clearinghouse.

STATE OF CALIFORNIA

GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH

STATE CLEARINGHOUSE AND PLANNING UNIT

EDMUND G. BROWN JR.
GOVERNOR

KEN ALEX
DIRECTOR

October 10, 2012

Todd Sloat
Pit Resource Conservation District
P.O. Box 301
Bieber, CA 96009

Subject: Butte Creek Restoration Project
SCH#: 2012092018

Dear Todd Sloat:

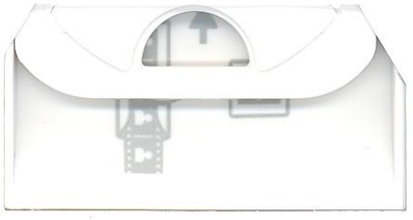
The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. The review period closed on October 9, 2012, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan
Director, State Clearinghouse

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov



Document Details Report
State Clearinghouse Data Base

SCH# 2012092018
Project Title Butte Creek Restoration Project
Lead Agency Pit Resource Conservation District

Type MND Mitigated Negative Declaration

Description The Butte Creek Restoration Project analyzes a 100-acre area owned and managed by one private landowner. The purpose of the project is to restore the functionality of 100 acres of effected floodplain and stream channels Butte Creek (see Figure-1a). Current conditions along Butte Creek are degraded, resulting in extensive gully networks that have lowered the water tables in the valley meadow, and concurrently changed the plant communities from mesic species to xeric species. This in turn has resulted in a loss of meadow productivity, diminished summer flows, and severe bank erosion. Remnants of the original meadow vegetative community now occur only near springs, hill slope sub-flow zones, and in gully bottoms. The objective here is to return stream flows to the original meadow/channel elevations utilizing the "pond and plug" technique along 1.5 miles of entrenched, eroding stream channels on private land. This, in turn, is expected to reverse the vegetative trend from xeric species and bare, compacted soils to a vigorous community of wet meadow species. The root system of this community, as well as the restored function of the floodplain, is expected to increase absorption rates, thereby attenuating flood flows, and increasing vegetation production and possibly summer pool retention times. The project is collaboration between the private landowner and Pit Resource Conservation District.

Lead Agency Contact

Name Todd Sloat
Agency Pit Resource Conservation District
Phone 530 336 5456 **Fax**
email
Address P.O. Box 301
City Bieber **State** CA **Zip** 96009

Project Location

County Lassen
City
Region
Lat / Long 41° 8' 39.12" N / 120° 55' 7.05" W
Cross Streets Hwy 139 x Butte Crk Rd
Parcel No. 003-20-05, 003-080-12
Township 38N **Range** 9E **Section** 10, 14 **Base** MDB&M

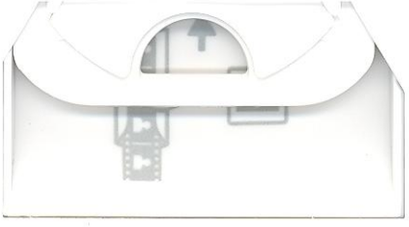
Proximity to:

Highways Hwy 139
Airports Adin
Railways No
Waterways Butte Creek tributary to Ash Creek
Schools Modoc Preschool
Land Use Exclusive Agriculture

Project Issues Archaeologic-Historic; Biological Resources

Reviewing Agencies Resources Agency; Department of Fish and Game, Region 6; Cal Fire; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 2; Regional Water Quality Control Bd., Region 5 (Redding); Native American Heritage Commission; State Lands Commission

Date Received 09/10/2012 **Start of Review** 09/10/2012 **End of Review** 10/09/2012



6d. Cooperation and Community Support.

The Pit RCD has provided a copy of an agreement between Mark and Ida Higgins (property manager) and Lassen County as evidence of their support for this project. The Higgins currently lease the property and intent to exercise their right to purchase it after the lease agreement term (see 5h Land Tenure Documents Section).

6e. Long-Term Management and Sustainability.

A long-term management plan for the project area has not yet been developed. However, the land manager has entered into a binding agreement with the RCD that provides protection of any investment made by the State for this proposed restoration project.

Figure 1a. Project Vicinity

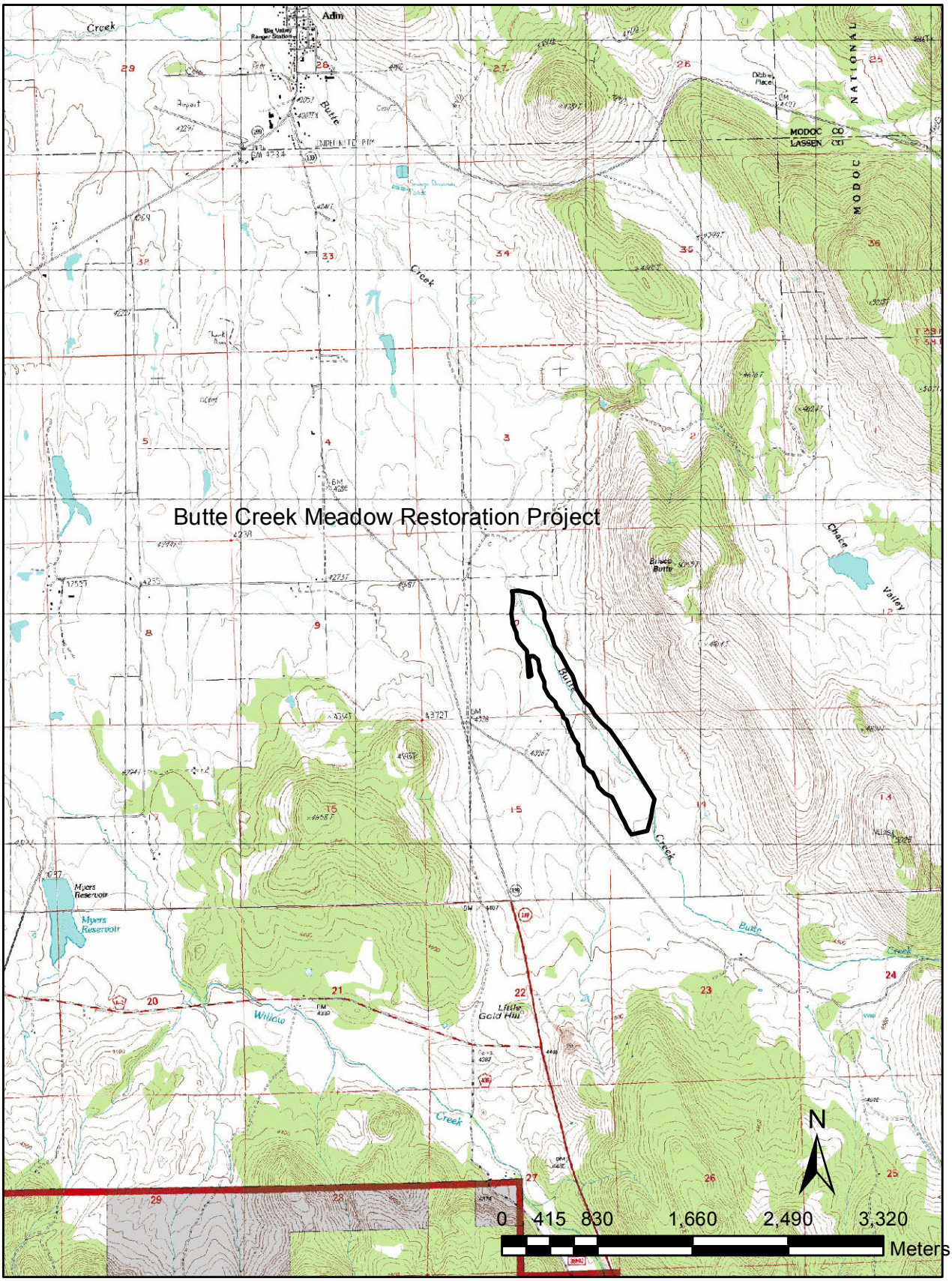
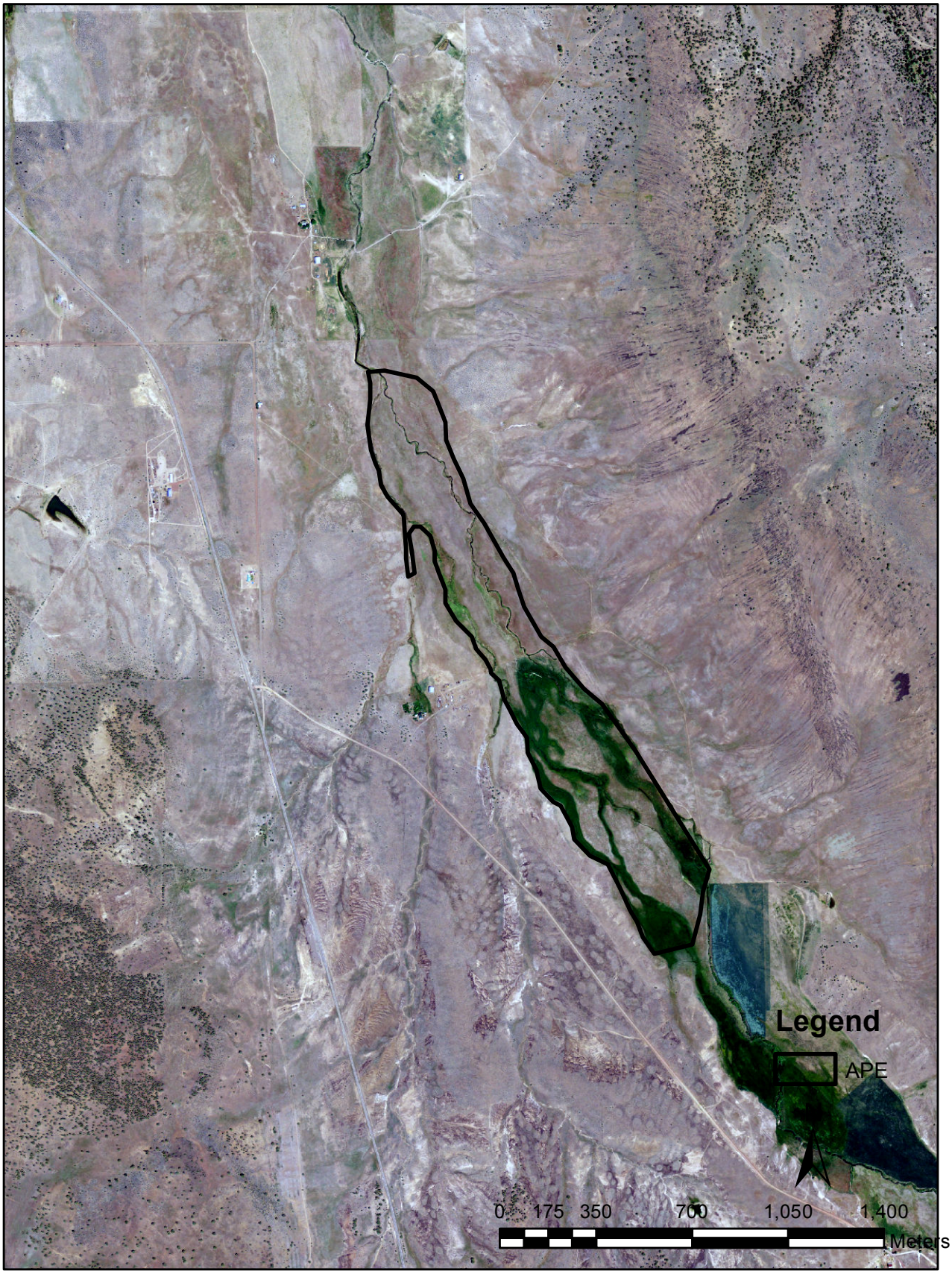


Figure 1b.
Butte Creek Restoration Project Area of Potential Effect (APE)



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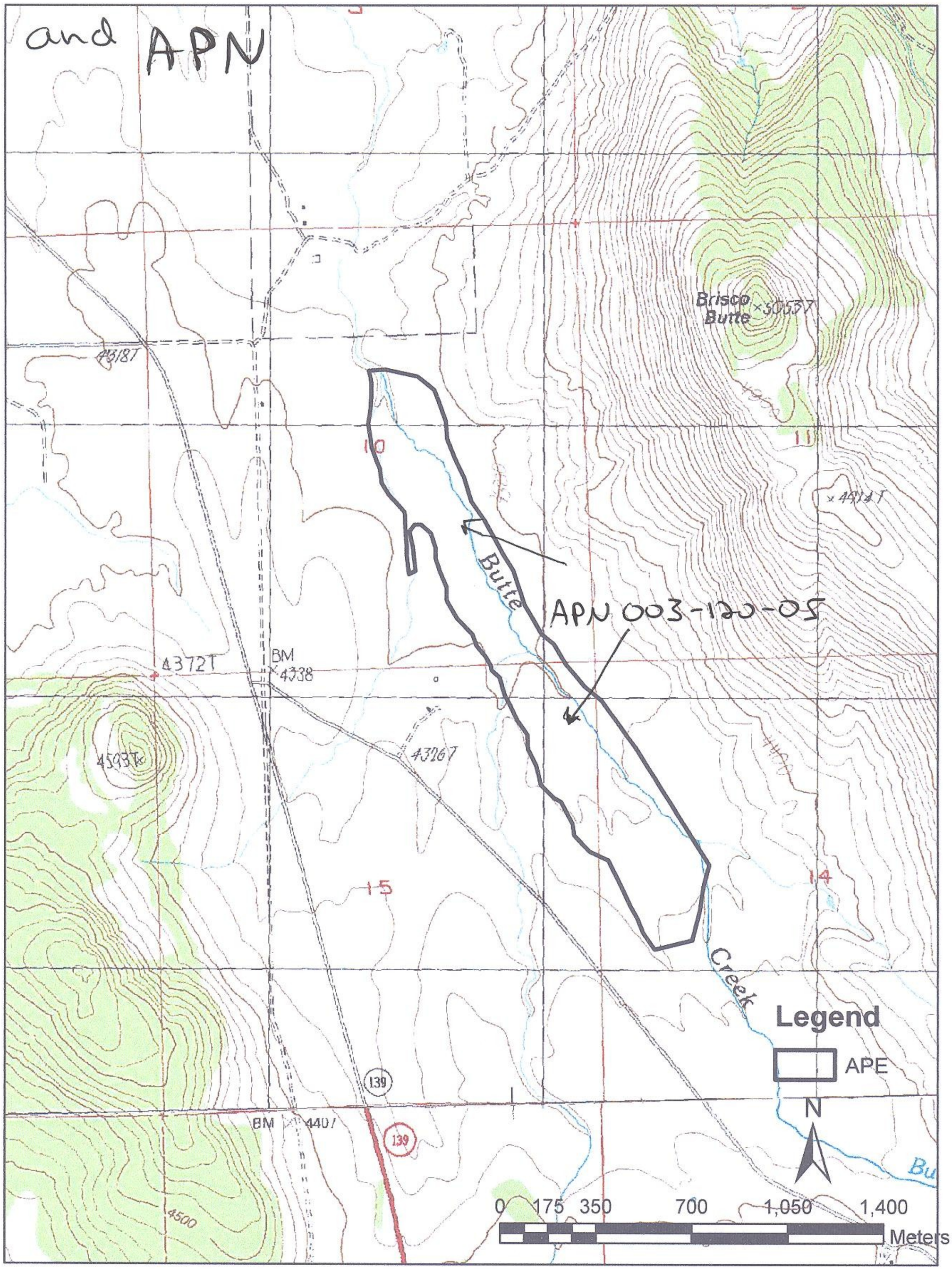


Preservation of Ranch and Ag Lands

UPLOAD UNAVAILABLE OR INVALID

M:\2012-13 workroom\App Intake

This is one of the active headcuts that is located near the center of the project area. You can clearly see from the previous aerial photo how stream channel entrenchment affects vegetation.

May 11, 2011. More headcuts along Butte Creek. These headcuts will eventually “drain” the productive portion of the meadow within the project area if left untreated.

June 7, 2010. Productive meadow along Butte Creek where the stream channel is not entrenched

June 7, 2010. Portion of project area where the stream channel is entrenched. Notice the difference in vegetation growth between the above photo and this photo taken on same day.

July 25, 2012. Conditions along Butte Creek in the summer where the stream channel is entrenched.

August 2, 2012. Conditions along Butte Creek in summer where the stream channel is not entrenched. Compare the stream channel size to the photo above.

Another headcut advancing into the productive area of the project site.

June 7, 2010. This photo represents a desired condition of the degraded area of the project site following restoration. It was taken in the southern area of the project area looking north.

February 17, 2010. Historic ditch that was used to manage water at the project site. This ditch was created sometime before 1941. Today, this ditch captures surface and groundwater which effectively assists in creating drier conditions in the meadow.

August 2, 2012. Example of Butte Creek and floodplain where entrenchment is present.

2011-05586
Recorded at the request of:
MARK & IDA HIGGINS
10/27/2011 01:56 PM
Fee: $22.00 Pgs: 1 of 3 Multi Title
OFFICIAL RECORDS
Julie M. Bustamante - Clerk-Recorder
Lassen County, CA

RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:

Mark and Ida Higgins
P.O. Box 301
Adin, CA 96006

MEMORANDUM OF FARM RENTAL AGREEMENT INCLUDING OPTION TO PURCHASE

THIS MEMORANDUM is of the Farm Rental Agreement Including Option To Purchase made and entered into effective April 10, 2010 by and between ELMER HAROLD SCHMIDT, individually and as executor of the Estate of Walter Kenneth Schmidt, deceased, hereinafter called "Landlord"; and MARK HIGGINS and IDA HIGGINS, husband and wife, hereinafter called "Tenant."

Landlord leases to Tenant the premises herein described for a term of seven years commencing April 1, 2010 and ending March 31, 2017. The Lease is referred to for further particulars and is made a part of this Memorandum of Lease as though fully set forth herein. The lease premises consist of approximately 872 acres located in the Town of Adin, County of Lassen, State of California, APN 003-20-05 and 003-080-12 as more particularly described in Exhibit "A" attached hereto.

The Lease contains an option to purchase the premises described in Exhibit A hereto on terms set forth therein.

Pursuant to the further terms of the Lease, Tenant is directed to record in Lassen County a Memorandum of the Lease Including Option to Purchase.

EXECUTED on October 27th, 2011, at Title Companies Bank, Lassen County, California.

TENANT:

MARK HIGGINS

IDA HIGGINS

LEGAL DESCRIPTION

EXHIBIT "A"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE UNINCORPORATED AREA , COUNTY OF LASSEN, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

In Township 38 North, Range 9 East, Mount Diablo Meridian, according to the official plat thereof.

Section 10: The E 1/2 of the NE 1/4; SW 1/4 of the NE 1/4; SE 1/4 of the NW 1/4; E 1/2 of the SW 1/4 and the SE 1/4
Section 11: The W 1/2 of the NW 1/4 and the S 1/2 of the SW 1/4
Section 14: The NW 1/4 and the NW 1/4 of the SW 1/4
Section 15: The N 1/2 of the NE 1/4 and the SE 1/4 of the NE 1/4

Excepting therefrom a tract of land 10 rods wide by 13 rods long in the NE 1/4 of the SW 1/4 of said Section 10 above described, which was conveyed to the "Trustees of the Providence School District of Lassen County, California", recorded in the office of the Lassen County Recorder in Book U of Deeds at Page 532.

Together with all water rights, water agreements, appurtenant to and benefitting the property.

APN: 003-120-05, 003-080-12

ACKNOWLEDGMENT

STATE OF CALIFORNIA)
) ss.
COUNTY OF Lassen)

On October 27th, 2011, before me, Daniel Gardiner, a Notary Public in and for said County and State, personally appeared MARK HIGGINS, who proved to me on the basis of satisfactory evidence to be the person[s] whose name[s] is[~~are~~] subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity[~~ies~~], and that by his/~~her/their~~ signature[s] on the instrument the person[s], or the entity upon behalf of which the person[s] acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

NOTARY PUBLIC
My commission expires July 6, 2013

ACKNOWLEDGMENT

STATE OF CALIFORNIA)
) ss.
COUNTY OF Lassen)

On October 27th, 2011, before me, Daniel Gardiner, a Notary Public in and for said County and State, personally appeared IDA HIGGINS, who proved to me on the basis of satisfactory evidence to be the person[s] whose name[s] is[~~are~~] subscribed to the within instrument and acknowledged to me that ~~he~~/she/~~they~~ executed the same in ~~his~~/her/~~their~~ authorized capacity[~~ies~~], and that by ~~his~~/her/~~their~~ signature[s] on the instrument the person[s], or the entity upon behalf of which the person[s] acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

NOTARY PUBLIC
My commission expires July 6, 2013

DANIEL GARDINER
COMM. #1856955
NOTARY PUBLIC - CALIFORNIA
BUTTE COUNTY
My Comm. Expires July 6, 2013

STEVEN B. McCARTHY
SCOTT E. RUBRIGHT*
EMILY L. FRIES
JOHN M. MURRAY

*ALSO ADMITTED IN
COLORADO AND WYOMING

McCARTHY & RUBRIGHT, LLP
ATTORNEYS AT LAW
100 RIO STREET, P.O. BOX 190
RED BLUFF, CALIFORNIA 96080-0190
TEL (530) 527-0213
FAX (530) 527-7641
MRLAW@MCCARTHYRUBRIGHT.COM

WWW.MCCARTHYRUBRIGHT.COM

ROBERT E. McCARTHY
1920-2005

December 8, 2011

Mr. and Mrs. Mark Higgins
P O. Box 301
Adin, CA 96006

Re: Land Lease with Option to Buy; Estate Matters

Dear Mark and Ida:

As you may know, Cheryl Forbes has left our firm. Her leaving gave me an opportunity to review a number of files, and I see that she did some work for you with respect to your parents' estate and she opened a file for your estate plan, which file is devoid of any activity. Please be assured that I am available to assist you in any of these matters and would welcome the opportunity.

With respect to the property agreement with Elmer, we prepared a Memorandum of Lease that you were going to get signed and then record in Lassen County. I do not find a copy of the signed, recorded document in our file and it would be good for me to have that so that we will be able to provide that to anyone who may make a claim on Elmer's estate. John Grimes, the successor trustee, is aware of it and we will, of course, be able to work with him and protect the integrity of the agreement between you and Elmer. If you have any questions, please feel free to call. Merry Christmas!

Best regards,

McCARTHY & RUBRIGHT, LLP

By
Steven B. McCarthy

SBM/pp

Sent copies
Received

Pit Resource Conservation District

From: Mark Higgins [tpine2@hughes.net]
Sent: Thursday, October 18, 2012 9:04 AM
To: pitrcd@frontiernet.net
Subject: Farm Lease Agreement

To whom it may concern,
I have a Lease Purchase agreement that will expire in 2017, It is my intention to continue to lease the property until the end of the lease. At which time I intend to exercise my right to purchase.

Mark r higgins=

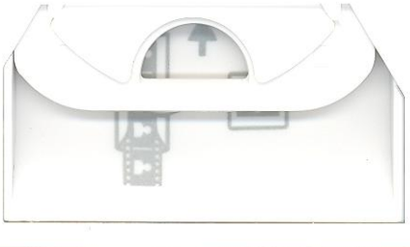
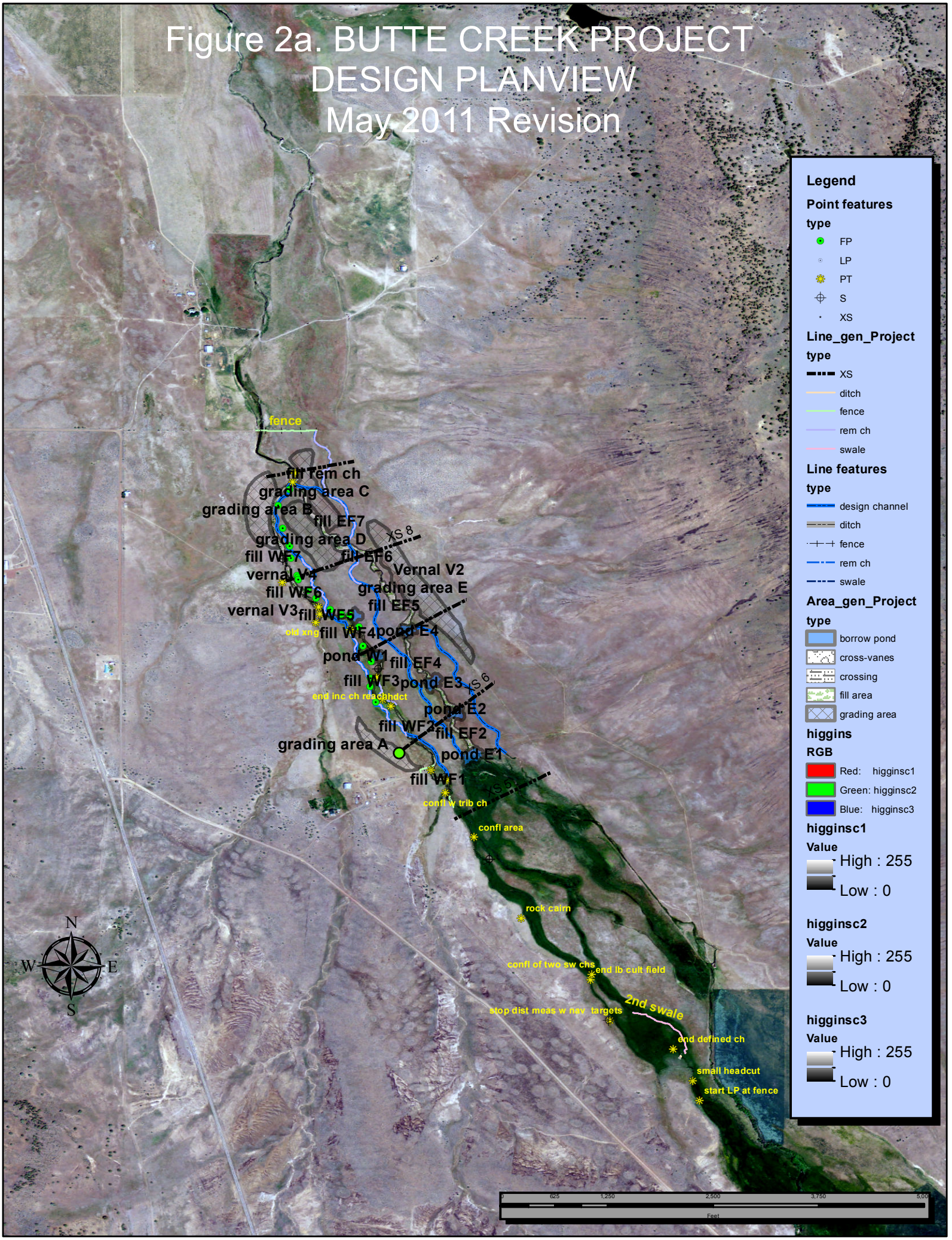


Figure 2a. BUTTE CREEK PROJECT DESIGN PLANVIEW May 2011 Revision



Legend

Point features

type
- FP
- LP
- PT
- S
- XS

Line_gen_Project

type
- XS
- ditch
- fence
- rem ch
- swale

Line features

type
- design channel
- ditch
- fence
- rem ch
- swale

Area_gen_Project

type
- borrow pond
- cross-vanes
- crossing
- fill area
- grading area

higgins

RGB
- Red: higginsc1
- Green: higginsc2
- Blue: higginsc3

higginsc1

Value
- High : 255
- Low : 0

higginsc2

Value
- High : 255
- Low : 0

higginsc3

Value
- High : 255
- Low : 0

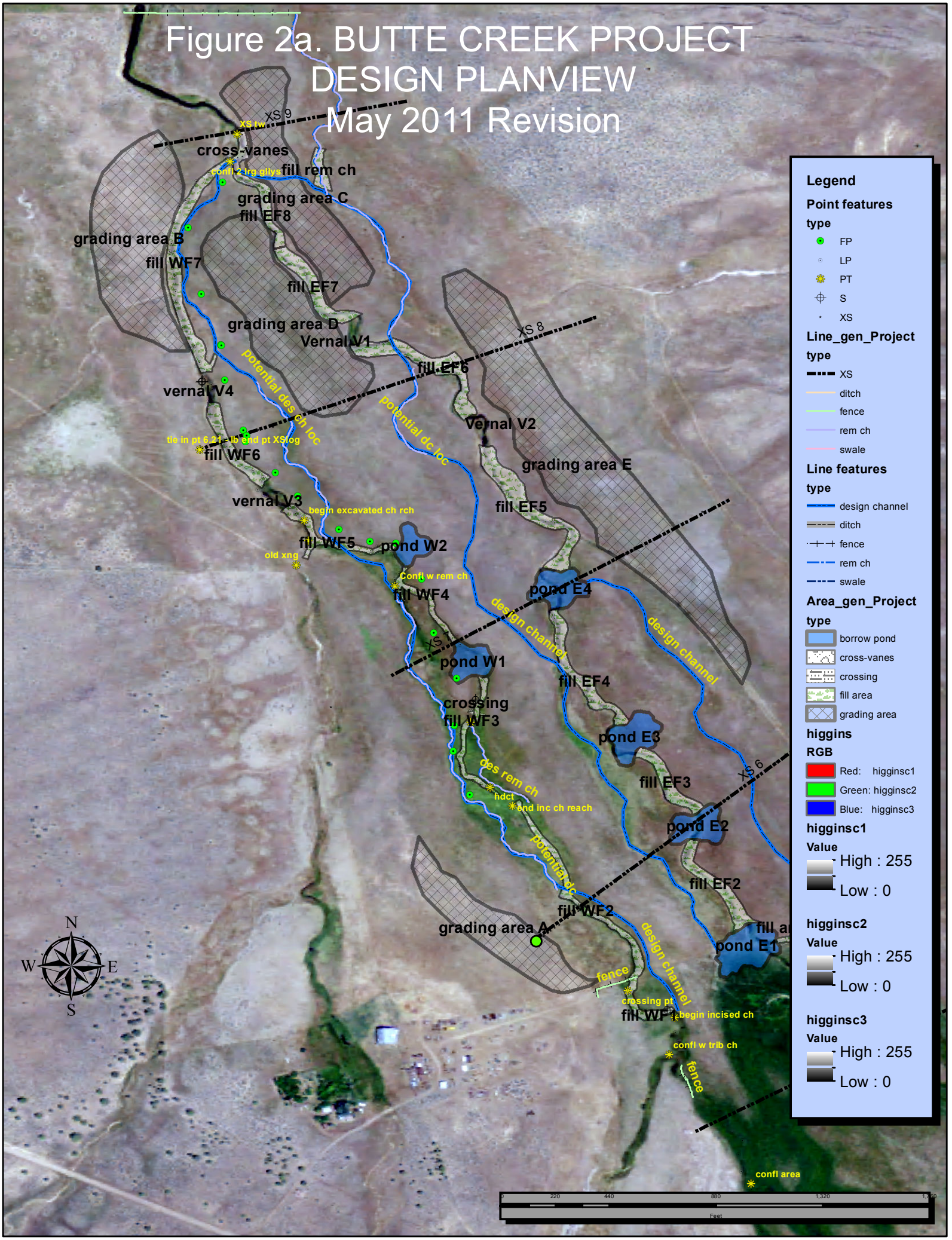


Figure 2a. BUTTE CREEK PROJECT
DESIGN PLANVIEW
May 2011 Revision
XS 9
XS tw
cross-vanes
confl 2 lrg gllys
fill rem ch
grading area C
fill EF8
grading area B
fill WF7
fill EF7
grading area D
Vernal V1
XS 8
fill EF6
vernal V4
potential des ch loc
potential dc loc
tie in pt 6.21 - lb end pt XS log
fill WF6
Vernal V2
grading area E
vernal V3
begin excavated ch rch
fill EF5
fill WF5
pond W2
old xng
Confl w rem ch
fill WF4
pond E4
design channel
design channel
XS 1
pond W1
fill EF4
crossing
fill WF3
pond E3
des rem ch
XS 6
hdct
end inc ch reach
fill EF3
pond E2
potential dc
fill EF2
fill WF2
grading area A
design channel
pond E1
fence
crossing pt
fill WF1
begin incised ch
confl w trib ch
fence
confl area
N
W
E
S
0
220
440
880
1,320
Feet
Legend
Point features
type
FP
LP
PT
S
XS
Line_gen_Project
type
XS
ditch
fence
rem ch
swale
Line features
type
design channel
ditch
fence
rem ch
swale
Area_gen_Project
type
borrow pond
cross-vanes
crossing
fill area
grading area
higgins
RGB
Red: higginsc1
Green: higginsc2
Blue: higginsc3
higginsc1
Value
High : 255
Low : 0
higginsc2
Value
High : 255
Low : 0
higginsc3
Value
High : 255
Low : 0